



MARIN COUNTY
COMMUNITY DEVELOPMENT AGENCY
ALEX HINDS, DIRECTOR

Marin County Planning Commission
3501 Civic Center Drive
San Rafael, California 94903

July 23, 2007

SUBJECT: Public Hearing on whether to recommend adoption of the Draft Marin Countywide Plan Update (CWP) and certification of the Final Environmental Impact Report (FEIR)

Dear Planning Commission Members:

RECOMMENDATION

1. Conduct a public hearing on whether to approve the attached resolution recommending that the Board of Supervisors certify the Final EIR , and adopt the Draft Countywide Plan (dated July 2007)
2. Confirm the changes made in the Draft Countywide Plan made at the July 9 hearing
3. Direct staff to finalize a separate letter for the signature of the Planning Commission Chair that identifies specific Countywide Plan topics which the Planning Commission determined should receive particular attention by the Board of Supervisors

BACKGROUND

A. Countywide Plan

In 2000 the Board of Supervisors approved work and public participation programs to update the Countywide Plan (CWP) with initial working group meetings starting in early 2001. Although the existing Countywide Plan has generally withstood the test of time, the draft CWP Update has now been updated to reflect extensive input from the public (including four CWP working groups). There have been over 100 meetings open to the public regarding the draft CWP Update.

Preparation of the Countywide Plan involved developing a series of technical background reports. These included:

- 2005 Congestion Management Program
- Agriculture
- Air Quality
- Archeology
- Biology

- Community Facilities
- Energy
- Flooding
- Geology
- Hydrology and Water Quality
- Noise
- Marin County Targeted Industries Study Final Report and Supplement
- Parks and Recreation
- Trails
- Transportation
- Watershed Management Plan

While these reports provided a basis for drafting the Countywide Plan itself, they are not part of the Plan.

Similarly, the Plan at times makes reference to various other documents produced and/or adopted by Marin County. These documents are also not a part of the Plan.

A Public Review Draft of the Marin Countywide Plan was released in February 2004, which was followed by twenty-three public hearings in order to finalize the project description to be evaluated in the environmental impact report. A Revised Public Review Draft of the Countywide Plan was completed in August 2005 which incorporated input from several hundred letters, previous public hearings, and extensive legal review. Changes were shown in strike-thru and underline format in the Plan. A revised copy of the Plan without the *track changes* was subsequently prepared.

The attached Planning Commission Recommended Draft Plan (dated July 2007) has been completed. This version incorporates all of the Planning Commission's recommendations (technical and substantive) to date (including those made at the July 9 hearing), as well as accepted mitigation measures from the Environmental Impact Report and technical edits. Changes are shown in highlight, strikethrough and underline format in the Plan. Although Figure 3-1 and Figures 3-52 through 3-58 have not been revised in the attached draft Plan, required data pertaining to the tables has been included in this staff report. While only the Land Use Maps revised at the Planning Commission's direction are attached, all land use maps will be included in a completely reprinted version of the Planning Commission Recommended Draft Plan to be made available in August prior to the Board of Supervisors public hearings beginning September 10th.

Similarly, following the Commission's final recommendation, the Plan will be reviewed by a technical editor. These limited, technical edits will ensure consistent application of grammar and style throughout the document - and will be incorporated into the Draft Plan prior to final consideration by the Board of Supervisors in October.

B. Environmental Review

Environmental review was conducted in compliance with the California Environmental Quality Act (CEQA) as required for consideration of the Draft 2005 CWP Update. An Initial Study, completed by Marin County in February 2004 and revised in July 2005, confirmed the need for a full scope EIR, covering all the topical impact areas under CEQA. In January 2004, the County independently selected and contracted with the environmental consultant firm, Nichols Berman Environmental Planning, to prepare the EIR.

Marin County prepared and on June 4, 2007 circulated the *Marin Countywide Plan Update Final Environmental Impact Report*. A Notice of Availability of the Final EIR for review and notice of the

public hearing of the Planning Commission to consider the Final EIR was published and began a 14 day review and comment period on the Final EIR ending on June 18, 2007. On June 11, 2007 the Marin County Planning Commission held a public hearing to consider the Final EIR.

In accordance with Marin County EIR guidelines noted above, written responses to comments received at the June 11, 2007 Planning Commission meeting and during the 14 day Final EIR review period have been prepared. These responses address issues raised regarding the Final EIR Response to Comments. These written comments and responses present amplifications, clarifications and/or additional information which in some cases result in minor and insignificant modifications to the EIR. They do not, however, raise new or more severe impacts or new mitigations or alternatives not considered in the EIR and do not require recirculation for further review and comment in accordance with *State CEQA Guidelines* Section 15088.5. The written responses together with the comments are incorporated as a minor amendment to the Final EIR.

DISCUSSION

A. Countywide Plan.

The Marin Countywide Plan Update (CWP Update) proposes a comprehensive update of the *1994 Marin Countywide Plan (1994 CWP)*. The CWP Update encompasses the unincorporated territory of Marin County. Marin's total land and water area is approximately 606 square miles, of which about 87 percent (527 square miles) is unincorporated. The CWP Update's regulatory authority encompasses only the unincorporated territory of Marin County.

The purposes of the CWP Update are to set policy guidelines for future conservation and development in the county and to address changed conditions since adoption of the *1994 CWP*. The CWP Update establishes an overall framework and set of goals for countywide development in the unincorporated area of Marin County.

The overarching theme presented in the *Draft 2005 CWP Update* is planning sustainable communities. To address this theme, the *1994 CWP* has been substantially reformatted into three main elements: the Natural Systems and Agriculture Element, the Built Environment Element, and the Socioeconomic Element. The seven mandatory General Plan elements required by the State Planning and Zoning Laws (Conservation, Open Space, Land Use, Circulation, Housing, Noise, and Safety) and the five optional elements in the *1994 CWP* (Agriculture, Community Facilities, Parks and Recreation, Trails, and Economic), have been updated and incorporated into the three main reformatted elements of the *Draft 2005 CWP Update*. The recent update of the Housing Element¹ of the CWP was adopted prior to this *Draft 2005 CWP Update* and remains unchanged. The following major policy issues were among the many topics considered by the Planning Commission over the course of this past year's hearings:

- Baylands Corridor, Stream Conservation Areas and Wetland Conservation Areas
- Global warming and sea level rise,
- Agricultural home sizes and trails
- Housing Overlay and Commercial/Mixed Use designations, and build-out projections
- Transportation and water supply issues
- Land uses on the St Vincent, Silveira, and San Rafael Rock Quarry properties

¹ The Housing Element was certified by the State Department of Housing and Community Development on July 24, 2003 and is not the subject of this CWP update.

Projections of the density and intensity of proposed land uses are a required component of all California general plans. Toward that end, the following data is provided pursuant to Planning Commission direction on July 9th.

Figure 3-1 Land Use and Demographic Data for Marin County

NOTE: The Countywide Plan does not include projections which estimate the time by which a certain level of development is projected to occur. Instead, tables of statistics are presented for the county as a whole and for each of seven planning areas, which identify four benchmarks by which to measure trends: the 1980, 1990, and 2000 U.S. Census counts of population, households, employed residents and jobs; and a projection of development which could occur if land vacant in 2005 were fully developed according to the zoning designations of city and county general plans.

Information Category	1980 Actual	1990 Actual	2000 Actual	2005 CWP Buildout	Buildout	Difference
Demographics						
Population				281,949		
	222,592	230,096	247,289		TBD	---
Households				119,542		
	88,723	95,006	100,650		TBD	---
Average Household Size				2.35		
	2.43	2.33	2.34		TBD	---
Employed Residents				173,937		
	118,569	127,759	140,955		TBD	---
Jobs				162,714		
	77,853	101,060	122,960		TBD	---
Employed Residents/Job				1.07		
	1.52	1.26	1.15		TBD	---
Land Use						
Housing Units				121,847		
	92,647	99,757	104,990		120,755	-1,092
Cities and Towns				89,132		
	67,420	73,914	77,585		89,132	0
Unincorporated Area				32,715		
	25,227	25,843	27,405		31,623	-1,092
Commercial/Industrial sq. ft.				49,873,083		
	<i>Census</i>	29,570,756	33,965,509		49,602,570	-270,513
Cities and Towns				45,431,753		
	<i>Data Not</i>	26,938,825	30,853,636		45,431,753	0
Unincorporated Area				4,441,330		
	<i>Available</i>	2,631,931	3,111,873		4,170,817	-270,513

Sources: Census, Association of Bay Area Governments, Marin County Community Development Agency.

**Figure 3-51 Land Use and Demographic Data for the
Novato Planning Area (PA #1)**

Information Category	1980 Actual	1990 Actual	2000 Actual	2005 CWP Buildout	Buildout	Difference
Demographics						
Population					TBD	---
Households	49,985	54,515	54,506	62,800	TBD	---
Average Household Size	17,462	20,812	21,178	24,817	TBD	---
Employed Residents	2.86	2.62	2.57	2.37	TBD	---
Jobs	25,658	30,538	32,043	38,636	TBD	---
Employed Residents/Job	13,783	18,230	27,879	46,699	TBD	---
	1.86	1.68	1.15	0.83		---
Land Use						
Housing Units	18,513	21,413	21,719	25,313	25,315	2
Novato	15,971	18,782	18,994	22,185	22,185	0
Unincorporated Area	2,542	2,631	2,725	3,128	3,130	2
Commercial/Industrial sq. ft.	<i>Census</i>	5,746,557	8,252,697	16,431,800	16,398,103	-33,697
Cities and Towns	<i>Data Not</i>	5,371,404	7,943,377	15,924,611	15,924,611	0
Unincorporated Area	<i>Available</i>	375,153	309,320	507,189	473,492	-33,697

Sources: Census, Association of Bay Area Governments, Marin County Community Development Agency.

**Figure 3-52 Land Use and Demographic Data for
the Las Gallinas Planning Area (PA #2)**

Information Category	1980 Actual	1990 Actual	2000 Actual	2005 CWP Buildout	Buildout	Difference
Demographics						
Population					TBD	---
Households	26,788	25,563	28,615	35,899	TBD	---
Average Household Size	9,732	10,254	11,687	15,678	TBD	---
Employed Residents	2.75	2.49	2.45	2.24	TBD	---
Jobs	14,239	16,778	16,157	22,145	TBD	---
	13,789	18,412	16,275	23,886		---

Employed Residents/Job	1.03	0.91	0.99	0.93	TBD	---
Land Use						
Housing Units	9,353	10,629	11,915	15,588	15,193	-395
Cities and Towns	5,632	6,626	7,664	10,159	10,159	0
Unincorporated Area	3,721	4,003	4,251	5,429	5,034	-395
Commercial/Industrial sq. ft.	<i>Census</i>	4,345,725	4,937,881	6,944,589	6,917,718	-26,871
Cities and Towns	<i>Data Not</i>	4,179,232	4,693,166	6,082,356	6,082,356	0
Unincorporated Area	<i>Available</i>	166,493	244,715	862,233	835,362	-26,871

Sources: Census, Association of Bay Area Governments, Marin County Community Development Agency.

Figure 3-53 Land Use and Demographic Data for the San Rafael Basin Planning Area (PA #3)

Information Category	1980 Actual	1990 Actual	2000 Actual	2005 CWP Buildout	Buildout	Difference
Demographics						
Population				50,050	TBD	---
Households	31,613	34,823	40,078	19,494	TBD	---
Average Household Size	13,876	14,527	15,483	2.66	TBD	---
Employed Residents	2.28	2.40	2.59	28,887	TBD	---
Jobs	17,323	18,611	22,083	37,298	TBD	---
Employed Residents/Job	19,570	24,136	28,073	0.77	TBD	---
	0.89	0.77	0.79			---
Land Use						
Housing Units	14,280	15,119	15,913	20,124	20,249	-125
San Rafael	13,568	14,513	15,284	19,370	19,370	0
Unincorporated Area	712	606	629	754	879	-125
Commercial/Industrial sq. ft.	<i>Census</i>	8,574,142	8,915,424	12,733,278	12,733,278	0
San Rafael	<i>Data Not</i>	8,563,165	8,904,447	12,707,797	12,707,797	0
Unincorporated Area	<i>Available</i>	10,977	10,977	25,481	25,481	0

Sources: Census, Association of Bay Area Governments, Marin County Community Development Agency.

**Figure 3-54 Land Use and Demographic Data for
the Upper Ross Valley Planning Area (PA #4)**

Information Category	1980 Actual	1990 Actual	2000 Actual	2005 CWP Buildout	Buildout	Difference
Demographics						
Population	25,623	24,196	25,297	28,884	TBD	---
Households	10,420	10,171	10,504	12,110	TBD	---
Average Household Size	2.46	2.38	2.41	2.38	TBD	---
Employed Residents	13,500	13,687	14,459	17,071	TBD	---
Jobs	4,355	6,065	7,033	6,591	TBD	---
Employed Residents/Job	3.10	2.26	2.06	2.59	TBD	---
Land Use						
Housing Units	10,836	10,565	10,823	11,504	11,514	10
Upper Ross Valley	9,692	9,323	9,631	10,035	10,035	0
Unincorporated Area	1,144	1,242	1,192	1,469	1,479	10
Commercial/Industrial sq. ft.	<i>Census</i>	1,391,308	1,328,484	1,398,260	1,398,260	0
Upper Ross Valley	<i>Data Not</i>	1,316,993	1,296,664	1,351,433	1,351,443	0
Unincorporated Area	<i>Available</i>	74,315	31,820	46,817	46,817	0

Sources: Census, Association of Bay Area Governments, Marin County Community Development Agency.

**Figure 3-55 Land Use and Demographic Data for
the Lower Ross Valley Planning Area (PA #5)**

Information Category	1980 Actual	1990 Actual	2000 Actual	2005 CWP Buildout	Buildout	Difference
Demographics						
Population	29,220	31,451	34,366	29,141	TBD	---
Households	11,396	11,933	12,731	13,217	TBD	---
Average Household Size	2.56	2.64	2.70	2.25	TBD	---
Employed Residents	14,313	15,768	16,585	17,522	TBD	---
Jobs	12,991	20,589	22,674	22,599	TBD	---
Employed Residents/Job	1.10	0.77	0.73	0.78	TBD	---
Land Use						
Housing Units	11,693	12,394	13,168	14,279	14,189	-90
Lower Ross Valley	8,884	9,683	10,263	11,051	11,051	0
Unincorporated Area	2,809	2,711	2,905	3,228	3,138	-90
Commercial/Industrial sq. ft.	<i>Census</i>	4,602,495	4,962,780	5,581,353	5,471,054	-110,299
Lower Ross Valley	<i>Data Not</i>	4,260,138	4,625,843	5,131,373	5,131,373	0
Unincorporated Area	<i>Available</i>	342,357	336,937	449,980	339,681	-110,299

Sources: Census, ABAG, Marin County Community Development Agency. Note: Build out figures do not factor in San Quentin reuse

Figure 3-56
Land Use and Demographic Data for the Richardson Bay Planning Area (PA #6)

Information Category	1980 Actual	1990 Actual	2000 Actual	2005 CWP Buildout	Buildout	Difference
Demographics						
Population				59,321	TBD	---
Households	47,983	47,755	52,094	27,543	TBD	---
Average Household Size	21,508	22,491	24,106	2.17	TBD	---
Employed Residents	2.23	2.12	2.16	39,297	TBD	---
Jobs	27,903	29,785	32,166	20,189	TBD	---
Employed Residents/Job	12,113	15,050	19,627	1.95	TBD	---
	2.30	1.98	1.64			
Land Use						
Housing Units	22,405	23,542	25,092	27,758	26,988	-230
Richardson Bay	13,673	14,976	15,749	16,332	16,332	0
Unincorporated Area	8,732	8,566	9,343	11,426	10,656	-230
Commercial/Industrial sq.ft.	<i>Census</i>	4,120,406	4,458,075	5,469,160	5,381,838	-87,322
Richardson Bay	<i>Data Not</i>	3,247,893	3,390,139	4,234,173	4,234,173	0
Unincorporated Area	<i>Available</i>	872,513	1,067,936	1,234,987	1,147,665	-87,322

Sources: Census, Association of Bay Area Governments, Marin County Community Development Agency.

Figure 3-57
Land Use and Demographic Data for the West Marin Planning Area (PA #7)

Information Category	1980 Actual	1990 Actual	2000 Actual	2005 CWP Buildout	Buildout	Difference
Demographics						
Population	11,356	11,793	12,334	15,854	TBD	---
Households	4,329	4,818	4,964	6,683	TBD	---
Average Household Size	2.62	2.45	2.48	2.33	TBD	---
Employed Residents	5,624	6,877	7,462	10,379	TBD	---
Jobs	1,252	1,358	1,409	5,452	TBD	---
Employed Residents/Job	4.49	5.06	5.30	1.90	TBD	---
Land Use						
Housing Units	5,657	6,095	6,360	7,281	7,307	-26
Commercial/Industrial sq.ft.	<i>Census</i>	790,123	1,110,168	1,314,643	1,290,302	-24,341
	<i>Data Not</i>					
	<i>Available</i>					

Sources: Census, Association of Bay Area Governments, Marin County Community Development Agency.

B. Environmental Impact Report Summary

The Final EIR considered the projected development related to the *Draft 2005 CWP Update* and assessed the effects of implementing the project alone and combined with other cumulative development expected in the vicinity.

Identified Impacts:

Land uses and development consistent with the *Draft 2005 CWP Update* would result in significant impacts that can be reduced to less than significant through mitigation, as well as 42 significant unavoidable impacts. The majority of these significant unavoidable impacts are associated with transportation and water supply issues. The EIR identifies mitigation measures for each impact. In some instances, the proposed mitigations would not be sufficient to reduce the impact to a less-than-significant level. In other cases, the mitigation measures are able to reduce impacts to a less than significant level.

Plan Consistency:

The plan consistency analysis in the DEIR did not find any plan inconsistencies with the Draft 2005 CWP Update that would result in adverse physical CEQA impacts. Nevertheless, future updates to associated plans and implementing regulations will require careful consideration to ensure continued conformance.

Alternatives:

The Draft EIR examines four alternatives to the *Countywide Plan Update*. A complete description of the alternatives is contained in **Chapter 5.0 Alternatives** of the DEIR. Each alternative proposes varying development levels for specific project sites.

- *Alternative 1 (No Project / No Action Alternative)* – This alternative assumes that no updated Countywide Plan is adopted for Marin County and future development would continue to be guided by the *1994 CWP* and zoning. This alternative reflects growth under the *1994 CWP* policies.
- *Alternative 2* – This alternative is based on the Economic Vitality scenario considered as a part of the County's Countywide Plan visioning process, which also includes substantially increased housing opportunities.
- *Alternative 3* – This alternative is based on the Environmental Preservation scenario considered as a part of the County's Countywide Plan visioning process.
- *Alternative 4 (Mitigated Alternative)* proposes mitigations in addition to those identified in the Draft EIR to reduce identified significant impacts of the *Draft 2005 CWP Update*, including significant impacts to water supply and traffic. Among other things, *Alternative 4* includes efforts to increase workforce housing rather than full commercial build-out. In addition, *Alternative 4* includes refinements to the Housing Overlay Designation and construction of the Marin-Sonoma Narrows (MSN) road improvement. *Alternative 4* also includes possible development of up to 501 housing units on the St. Vincent's / Silveira properties and adoption of the boundary for Option 2 for the Baylands Corridor.

CONCLUSION AND ADDITIONAL RECOMMENDATIONS

The *Draft Countywide Plan Update* and EIR have undergone rigorous preparation and processing in full compliance with State General Plan Guidelines and applicable regulations, the State CEQA Guidelines and applicable regulations, and County Environmental Review Procedures. Substantial opportunity for

public participation in the process and review has been provided which meets and exceeds the requirements for adoption of general plans, and CEQA and County Environmental Review Procedures.

Despite comprehensive review of the topics included in the Draft Countywide Plan, there remain a few topics which your Commission may recommend receiving particular attention by the Board of Supervisors. Toward that end, staff has outlined several issues for your consideration and possible inclusion in a separate recommendation letter to be sent to the Board of Supervisors, as follows:

- Clarifying the criteria used to carefully site trails in order to avoid or minimize impacts to agricultural operations
- Redistributing up to 441 of the 1,036 residential housing units allowed in the commercial/mixed use land use designations to locations away from the most congested roadways
- Reinforcing the linkage between onsite or nearby employment and potential residents of housing on commercial/mixed use sites
- Allowing the opportunity for a senior residential/congregate care facility similar in size and function to the “Redwoods” (in addition to the recommended 120 – 220 potential residential units) to be considered under prescribed conditions at a clustered location on either the St Vincent or Silvierra properties
- Clarifying that a County approved traffic study may be considered when determining the baseline vehicle trips and maximum allowable residential or commercial uses at the San Rafael Rock Quarry - provided that traffic impacts are equal to or less than the existing baseline
- Clarifying that any efforts to restore or enhance wetlands west of Gness Field or in the vicinity of the San Rafael Airport would need to avoid creating possible safety concerns and demonstrate compliance with applicable FAA guidelines

Respectfully submitted,

Alex Hinds
Director

Kris Krasnove
Planner

Attachments

1. Draft Resolution Recommending Adoption of the CWP and Certification of the FEIR
2. Amendment to FEIR.
3. Planning Commission Recommended Draft Countywide Plan text and revised maps dated (dated July 2007)

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